

Eliminate the California Postsecondary Education Commission

Section 66907 is added to the Education Code as follows:

66907. This article shall become inoperative on January 1, 2012, and, as of July 1, 2012, is repealed, unless a later enacted statute, that becomes operative on or before July 1, 2012, deletes or extends the dates on which it becomes inoperative and is repealed.

Section 67002 of the Education Code is amended as follows:

67002. The California Postsecondary Education Commission is designated as the state educational agency to carry out the purposes and provisions of the Education Amendments of 1972 (Public Law 92-318), the Education Amendments of 1976 (Public Law 94-482), and subsequent enactments amendatory or supplementary thereto, as follows:

(a) The commission is designated as the state commission required to be established pursuant to Section 1202 of Title X of the Higher Education Act of 1965 (Public Law 89-329) as amended by the Education Amendments of 1972 (Public Law 92-318).

(b) The commission is designated as the state administrative agency required to be established pursuant to Section 1055 of Title X of the Higher Education Act of 1965 (Public Law 89-329) as amended by the Education Amendments of 1972 (Public Law 92-318), unless such designation is determined by the federal government to be in conflict with federal law or regulations;

(c) The commission is designated as the state administrative agency required to be established pursuant to Section 105 of Title 1, Section 122 of Title III, Section 603 of Title VI and Section 704 of Title VII of the Higher Education Act of 1965 (Public Law 89-329) as amended by the Education Amendments of 1972 (Public Law 92-318). The California Postsecondary Education Commission is hereby vested with authority to prepare and submit to the United States Commissioner of Education any state plan required by said act of Congress, to prepare and submit amendments to such state plans, and to administer such state plans or amendments thereto, in accordance with said act of Congress and any rules and regulations adopted thereunder. Any such state plan or amendment thereto prepared by the California Postsecondary Education Commission shall be subject to the approval of the Department of Finance to the extent required by Section 13326 of the Government Code. The California Postsecondary Education Commission is hereby vested with all necessary power and authority to cooperate with the government of the United States, or any agency or agencies thereof in the administration of the act of Congress and the rules and regulations adopted thereunder.

(d) This section shall become inoperative on January 1, 2012, and, as of July 1, 2012, is repealed, unless a later enacted statute, that becomes operative on or before July 1, 2012, deletes or extends the dates on which it becomes inoperative and is repealed.

Section XXXXX is added to the Education Code as follows:

XXXXX. (a) Effective January 1, 2012, authority for administering competitive subgrants to institutions of higher education under the Improving Teacher Quality State Grant Program, pursuant to Part A of Title II of the federal No Child Left Behind Act of 2001 (P.L. 107-110), shall be transferred from the California Postsecondary Education Commission to the State Department of Education.

(b) Of the federal funds appropriated in Items 6420-001-0001 and 6420-001-0890 of the 2011 Budget Act, \$223,000 shall be transferred to Items 6110-001-0001 and 6110-001-0890 for the purpose of administering the Improving Teacher Quality State Grant Program pursuant to subdivision (a).

Add the following uncodified section:

For budgetary and accounting purposes, the provisions of this act shall become effective on July 1, 2011. All appropriations of the California Postsecondary Education Commission established prior to January 1, 2012 shall continue in existence until reverted, and all transactions attributable to these appropriations shall be treated as activities of the California Postsecondary Education Commission. In the event of any uncertainty or disagreement, the Department of Finance shall make the final determination of the budgetary and accounting transactions that are required to carry out the provisions of this act.